

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

UNITED STATES OF AMERICA

VS.

ADRIAN HERNANDEZ,

Supervised Releasee

NO. 3: 05-CR-18 (CAR)

RE: SUPERVISED RELEASE VIOLATIONS

ORDER

ADRIAN HERNANDEZ, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for a hearing under provisions of Rule 32.1 of the Federal Rules of Criminal Procedure. He was advised of the nature of the proceedings against him and of his legal and constitutional rights. With the assistance of legal counsel, said **SUPERVISED RELEASEE** waived a preliminary hearing under Rule 32.1(b)(1) of the *Rules* and agreed that a **FINAL** hearing could be scheduled under Rule 32.1(b)(2).

Upon consideration of the government's request for the detention of the **SUPERVISED RELEASEE** pending his final revocation hearing, and in light of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. Grounds for revocation set forth in the PETITION FOR ACTION ON SUPERVISED RELEASE include allegations that the **SUPERVISED RELEASEE** possessed/used alcohol and that he failed to refrain from violating state criminal law.

Accordingly, IT IS ORDERED AND DIRECTED that ADRIAN HERNANDEZ be **DETAINED** by the United States Marshal until further order of the court. While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said supervised releasee shall appear before the Honorable C. Ashley Royal, district judge, for a **FINAL HEARING** as directed by Judge Royal. The Clerk of Court is directed to forward this order and the within file to Judge Royal for the scheduling of said **FINAL HEARING** at the earliest possible time.

SO ORDERED AND DIRECTED, this 17th day of DECEMBER, 2007.



CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE